

SEATTLE CITY COUNCIL

600 Fourth Ave. 2nd Floor
Seattle, WA 98104



Journal of the Proceedings of the Seattle City Council

Tuesday, February 22, 2022

2:00 PM

Remote Meeting. Call 253-215-8782; Meeting ID: 586 416 9164; or
Seattle Channel online.

City Council

Debora Juarez, Council President

Lisa Herbold, Member

Andrew J. Lewis, Member

Tammy J. Morales, Member

Teresa Mosqueda, Member

Sara Nelson, Member

Alex Pedersen, Member

Kshama Sawant, Member

Dan Strauss, Member

Chair Info: 206-684-8805; Debora.Juarez@seattle.gov

Pursuant to Washington State Governor's Proclamation No. 20-28.15 and Senate Concurrent Resolution 8402, this public meeting will be held remotely. Meeting participation is limited to access by the telephone number provided on the meeting agenda, and the meeting is accessible via telephone and Seattle Channel online.

A. CALL TO ORDER

The City Council of The City of Seattle met remotely pursuant to Washington State Governor's Proclamation 20-28.15, and guidance provided by the Attorney General's Office, on February 22, 2022, pursuant to the provisions of the City Charter. The meeting was called to order at 2:08 p.m., with Council President Debra Juarez presiding.

B. ROLL CALL

The following Councilmembers were present and participating electronically:

Present: 8 - Juarez, Herbold, Lewis, Mosqueda, Nelson, Pedersen, Sawant, Strauss

Excused: 1 - Morales

C. PRESENTATIONS

Councilmember Juarez presented a proclamation recognizing February 2022 as Black History Month. The Council Rules were suspended to allow Councilmember Juarez to present the Proclamation, and to allow Michelle Merriweather, the Urban League of Metropolitan Seattle, to address the Council.

D. APPROVAL OF CONSENT CALENDAR

Motion was made, duly seconded and carried, to adopt the proposed Consent Calendar which included items 1 and 2.

1. Approval of Journal

[Min 365](#)

February 8, 2022

The item was adopted on the Consent Calendar by the following vote, and the President signed Minutes:

In Favor: 8 - Juarez, Herbold, Lewis, Mosqueda, Nelson, Pedersen, Sawant, Strauss

Opposed: None

[Min 366](#) **February 15, 2022**

The item was adopted on the Consent Calendar by the following vote, and the President signed Minutes:

In Favor: 8 - Juarez, Herbold, Lewis, Mosqueda, Nelson, Pedersen, Sawant, Strauss

Opposed: None

2. Adoption of Introduction and Referral Calendar

[IRC 337](#) **February 22, 2022**

The item was adopted on the Consent Calendar by the following vote:

In Favor: 8 - Juarez, Herbold, Lewis, Mosqueda, Nelson, Pedersen, Sawant, Strauss

Opposed: None

E. APPROVAL OF THE AGENDA

Motion was made, duly seconded and carried, to adopt the proposed Agenda.

F. PUBLIC COMMENT

By unanimous consent, the Council Rules were suspended to provide a 60 minute Public Comment period.

The following individuals addressed the Council:

Margot Stewart
Kate Rubin
Michael Mellini
Daniel Kavanaugh
Brett Frank-Looney
Sasha Somer
Camille Gix
Nshan Burns
Charlotte Thistle
MariLyn Yim
Hannah Swoboda
Cory Brewer
Sonja Ponath
Matthew Mitnick
Eva Metz
Ayda Cader
Rev. Robert Jeffrey
Madeline Olson
Daniel Swanson
Jacob Schear
Naomi Kim
Preston Sahabu
Sam Singh
Kevin Vitz-Wong
Barbara Phinney
Christa Erwin
Kyle Graham
Jasmine Smith
Rev. Andrew Conley-Holcom
Julia Kobelt
Brent McFarlane
Alicia Gomez
James Suddarth
Ben Ohmart
Jessica Avaniidhar
Sujatha Ramni
Carl Nakajima
Daniel Wang

Shirley Henderson
Dina Drovetto
Mark Taylor-Canfield
Jack Francis
Judith Wallak
Steve Hooper
Rev. Angela Ying
Jake Lindsay
Bruce Becker
Brandon Shanks
Tram Tran-Larson

G. PAYMENT OF BILLS

[CB 120274](#) **AN ORDINANCE appropriating money to pay certain audited claims for the week of February 7, 2022 through February 11, 2022 and ordering payment thereof.**

Motion was made and duly seconded to pass Council Bill 120274.

The Motion carried, the Council Bill (CB) was passed by the following vote, and the President signed the Council Bill (CB):

In Favor: 8 - Juarez, Herbold, Lewis, Mosqueda, Nelson, Pedersen, Sawant, Strauss

Opposed: None

H. COMMITTEE REPORTS

CITY COUNCIL:

1. [Appt 02097](#) **Appointment of Douglas Migden as member, Seattle Bicycle Advisory Board, for a term to August 31, 2023.**

The Appointment (Appt) was discussed.

Motion was made and duly seconded to confirm Appointment 02097.

The Motion carried, and the Appointment (Appt) was confirmed by the following vote:

In Favor: 8 - Juarez, Herbold, Lewis, Mosqueda, Nelson, Pedersen, Sawant, Strauss

Opposed: None

- 2. [Appt 02098](#) **Appointment of Xander Barbar as member, Seattle Transit Advisory Board, for a term to August 2, 2023.**

The Appointment (Appt) was discussed.

Motion was made and duly seconded to confirm Appointment 02098.

The Motion carried, and the Appointment (Appt) was confirmed by the following vote:

In Favor: 8 - Juarez, Herbold, Lewis, Mosqueda, Nelson, Pedersen, Sawant, Strauss

Opposed: None

FINANCE AND HOUSING COMMITTEE:

- 3. [Appt 02105](#) **Appointment of Julie A. Dingley as Director of the City Budget Office, for a term to December 31, 2025.**

The Committee recommends that City Council confirm the Appointment (Appt).

In Favor: 4 - Mosqueda, Herbold, Pedersen, Lewis

Opposed: None

The Appointment (Appt) was confirmed by the following vote:

In Favor: 8 - Juarez, Herbold, Lewis, Mosqueda, Nelson, Pedersen, Sawant, Strauss

Opposed: None

Council President Juarez invited Ms. Dingley to provide brief remarks to the Council.

4. [Appt 02096](#) **Appointment of Kristin Little Sukys as member, Sweetened Beverage Tax Community Advisory Board, for a term to August 31, 2025.**

The Committee recommends that City Council confirm the Appointment (Appt).

In Favor: 4 - Mosqueda, Herbold, Pedersen, Lewis

Opposed: None

The Appointment (Appt) was confirmed by the following vote:

In Favor: 8 - Juarez, Herbold, Lewis, Mosqueda, Nelson, Pedersen, Sawant, Strauss

Opposed: None

5. [CB 120267](#) **AN ORDINANCE related to the City’s response to the COVID-19 crisis; amending Ordinance 126490, which adopted the 2022 Budget; accepting funding from non-City sources; changing appropriations to various departments and budget control levels, and from various funds in the 2022 Budget; and ratifying and confirming certain prior acts.**

The Committee recommends that City Council pass the Council Bill (CB).

In Favor: 5 - Mosqueda, Herbold, Pedersen, Nelson, Lewis

Opposed: None

The Council Bill (CB) was passed by the following vote, and the President signed the Council Bill (CB):

In Favor: 8 - Juarez, Herbold, Lewis, Mosqueda, Nelson, Pedersen, Sawant, Strauss

Opposed: None

6. [CB 120268](#) **AN ORDINANCE accepting the gift of Google ad grant credits; and ratifying and confirming certain prior acts.**

The Committee recommends that City Council pass the Council Bill (CB).

In Favor: 5 - Mosqueda, Herbold, Pedersen, Nelson, Lewis

Opposed: None

The Council Bill (CB) was passed by the following vote, and the President signed the Council Bill (CB):

In Favor: 8 - Juarez, Herbold, Lewis, Mosqueda, Nelson, Pedersen, Sawant, Strauss

Opposed: None

NEIGHBORHOODS, EDUCATION, CIVIL RIGHTS, AND CULTURE COMMITTEE:

7. [Appt 02094](#) Reappointment of Allan Nyaribo as member, Seattle Human Rights Commission, for a term to January 22, 2024.

The Committee recommends that City Council confirm the Appointment (Appt).

In Favor: 4 - Morales, Sawant, Lewis, Strauss

Opposed: None

The Appointment (Appt) was confirmed by the following vote:

In Favor: 8 - Juarez, Herbold, Lewis, Mosqueda, Nelson, Pedersen, Sawant, Strauss

Opposed: None

8. [Appt 02095](#) Reappointment of Julia A. Ismael as member, Seattle Human Rights Commission, for a term to January 22, 2024.

The Committee recommends that City Council confirm the Appointment (Appt).

In Favor: 4 - Morales, Sawant, Lewis, Strauss

Opposed: None

The Appointment (Appt) was confirmed by the following vote:

In Favor: 8 - Juarez, Herbold, Lewis, Mosqueda, Nelson, Pedersen, Sawant, Strauss

Opposed: None

PUBLIC ASSETS AND HOMELESSNESS COMMITTEE:

9. [Appt 02101](#) Appointment of Davon Thomas as member, Board of Parks and Recreation Commissioners, for a term to March 31, 2023.

The Committee recommends that City Council confirm the Appointment (Appt).

In Favor: 5 - Lewis, Mosqueda, Herbold, Juarez, Morales

Opposed: None

The Appointment (Appt) was confirmed by the following vote:

In Favor: 8 - Juarez, Herbold, Lewis, Mosqueda, Nelson, Pedersen, Sawant, Strauss

Opposed: None

10. [Appt 02102](#) **Appointment of Justin P. Umagat as member, Board of Parks and Recreation Commissioners, for a term to March 31, 2024.**

The Committee recommends that City Council confirm the Appointment (Appt).

In Favor: 5 - Lewis, Mosqueda, Herbold, Juarez, Morales

Opposed: None

The Appointment (Appt) was confirmed by the following vote:

In Favor: 8 - Juarez, Herbold, Lewis, Mosqueda, Nelson, Pedersen, Sawant, Strauss

Opposed: None

11. [Appt 02103](#) **Appointment of Stafford Mays as member, Board of Parks and Recreation Commissioners, for a term to March 31, 2025.**

The Committee recommends that City Council confirm the Appointment (Appt).

In Favor: 5 - Lewis, Mosqueda, Herbold, Juarez, Morales

Opposed: None

The Appointment (Appt) was confirmed by the following vote:

In Favor: 8 - Juarez, Herbold, Lewis, Mosqueda, Nelson, Pedersen, Sawant, Strauss

Opposed: None

TRANSPORTATION AND SEATTLE PUBLIC UTILITIES COMMITTEE:

12. [CB 120256](#) **AN ORDINANCE relating to street and sidewalk use; amending Ordinance 126474 and the Street Use Permit Fee Schedule authorized by Section 15.04.074 of the Seattle Municipal Code; and amending Section 2 and Section 3 of Ordinance 126339.**

The Committee recommends that City Council pass the Council Bill (CB).

In Favor: 5 - Pedersen, Strauss, Herbold, Morales, Sawant

Opposed: None

The Council Bill (CB) was passed by the following vote, and the President signed the Council Bill (CB):

In Favor: 8 - Juarez, Herbold, Lewis, Mosqueda, Nelson, Pedersen, Sawant, Strauss

Opposed: None

I. ADOPTION OF OTHER RESOLUTIONS

13. [Res 32044](#) **A RESOLUTION modifying Resolution 31938 and the March 14, 2020 emergency order relating to residential evictions.**

ACTION 1:

Motion was made and duly seconded to adopt Resolution 32044.

ACTION 2:

Motion was made by Councilmember Herbold and duly seconded, to amend Resolution 32044, as shown on Attachment 1 to the Minutes.

The Motion failed by the following vote:

In Favor: 3 - Herbold, Mosqueda, Strauss
Opposed: 5 - Juarez, Lewis, Nelson, Pedersen, Sawant

ACTION 3:

The Motion in Action 1 was restated.

The Motion failed, and the Resolution was not adopted by the following vote:

In Favor: 3 - Herbold, Mosqueda, Sawant
Opposed: 5 - Juarez, Lewis, Nelson, Pedersen, Strauss

J. OTHER BUSINESS

There was none.

K. ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 4:21 p.m.

Jodee Schwinn, Deputy City Clerk

Signed by me in Open Session, upon approval of the Council, on March 1, 2022.

Debora Juarez, Council President of the City Council

Monica Martinez Simmons, City Clerk

Att 1 - Action 2 of RES 32044

Att 1 – Action 2 of RES 32044

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CITY OF SEATTLE

RESOLUTION _____

..title

A RESOLUTION modifying Resolution 31938 and the March 14, 2020 emergency order relating to residential evictions.

..body

WHEREAS, on February 29, 2020, Washington Governor Jay Inslee declared a state of emergency in response to new cases of COVID-19, directing state agencies to use all resources necessary to prepare for and respond to the outbreak; and

WHEREAS, on March 3, 2020 the Mayor proclaimed a civil emergency related to the spread of COVID-19, authorizing the Mayor to exercise the emergency powers necessary for the protection of the public peace, safety, and welfare; and

WHEREAS, on March 5, 2020 the Council adopted Resolution 31937 affirming the civil emergency, modifying orders transmitted by the Mayor related to the emergency, and establishing Council’s expectations related to future orders and reporting by the Mayor during the civil emergency; and

WHEREAS, on July 22, 2020, the Local Health Officer for King County issued a directive and order requiring quarantine or isolation to stem the spread of COVID-19 in the community; and

WHEREAS, on March 14, 2020 the Mayor issued a civil emergency order related to residential evictions; and

WHEREAS, on March 16, 2020 the Council adopted Resolution 31938 affirming and modifying the civil emergency order related to residential evictions and establishing Council’s expectations related to future orders during the civil emergency; and

1 WHEREAS, subsequent emergency orders have extended the moratorium on evictions through
2 February 28, 2022 as long as the period of civil emergency does not end before that time;
3 and

4 WHEREAS, the intention of this resolution is to ~~tie the civil emergency order related to evictions~~
5 ~~to the end of the period of civil emergency~~ continue the civil emergency order as the
6 Council continues to monitor the risk due to COVID-19 and its impacts; and

7 WHEREAS, although Seattle has been very successful in achieving a high rate of vaccination
8 against COVID-19 among the City's residents, the Omicron variant surged throughout the
9 community and continues to pose a serious threat due to its heightened contagiousness;
10 and

11 WHEREAS, on February 14, 2022, Public Health – Seattle and King County confirmed 733
12 cases of COVID-19 in King County, including 17 deaths, for a rate of 375 cases per
13 100,000 residents; and

14 WHEREAS, community transmission is considered substantial or high when there are more than
15 50 cases per 100,000 residents; and

16 WHEREAS, while reported COVID-19 cases and hospitalizations are now trending downward
17 after a substantial surge related to the Omicron variant, the seven-day average of newly
18 reported COVID-19 cases continues to be higher than on any other date prior to the
19 emergence of the Omicron variant; and

20 WHEREAS, continued decreases in case counts, hospitalizations, and deaths are needed before
21 the heightened risk from the Omicron variant can be said to have passed or stress on the
22 health system will cease to be a concern; and

1 WHEREAS, the COVID-19 crisis has had a significant impact on the local economy, and the
2 improvements in economic conditions since the start of the pandemic have been put at
3 risk due to the Omicron variant; and

4 WHEREAS, the Census Bureau’s Household Pulse Survey released on February 16, 2022
5 estimates that more than 77,000 households in the Seattle area with incomes below
6 \$50,000 remain behind on rent; and

7 WHEREAS, households will continue to be at risk of eviction and housing insecurity until
8 employment returns to pre-pandemic levels or sufficient rental assistance is available to
9 make them current on rent payments; and

10 WHEREAS, as of January 2022, The City of Seattle has allocated over \$55 million to provide
11 rental assistance to individuals and households whose ability to pay rent has and
12 continues to be impacted by the public health emergency and to date over 6,300
13 individuals and households have received rental assistance payments, with about
14 \$25 million of funds still remaining to be distributed, in addition to funding available
15 through King County’s rental assistance program; and

16 WHEREAS, it is unlikely that all households that are behind on their rent due to the effects of
17 the pandemic will receive rental assistance prior to February 28, 2022, and rental
18 assistance funding may not be sufficient to assist all impacted households; and

19 WHEREAS, the Center for Disease Control and Prevention guidelines state that those who
20 develop symptoms or who test positive for COVID-19 without symptoms stay isolated
21 for at least five days and those exposed to COVID-19 and not up to date on vaccinations
22 stay home for five days, assuming no symptoms arise; and

1 WHEREAS, meeting requirements to self-isolate due to illness, a positive test, or exposure to
2 COVID-19, the need to care for household members with illness or exposure, or the loss
3 of child care arrangements due to outbreaks could have substantial impacts on household
4 income and the ability to stay current on rent, and these risks are compounded for
5 workers without paid sick or safe time, those who work in the “gig economy,” and
6 historically disadvantaged populations that are already at greater risk of eviction; and

7 WHEREAS, The City of Seattle continues to be in a state of civil emergency due to COVID-19,
8 which is expected to prolong requirements for protective measures to stem the spread of
9 COVID-19 and its subsequent variants; and

10 WHEREAS, protective measures, such as masking and improving air quality, and treatments for
11 COVID-19 have not progressed to where imposing those requirements through public
12 health orders are sufficient to prevent economic impacts as new variants emerge; and

13 WHEREAS, many sectors of the economy continue to be affected by the impacts of the
14 pandemic, with corollary impacts on income for many households; and

15 WHEREAS, the combined economic repercussions of COVID-19 on household income,
16 including the ability to pay rent, is expected to continue **for the duration of the public**
17 **civil emergency, and for a notable period afterward for many households**; and

18 WHEREAS, the September 2018 Seattle Women’s Commission and the King County Bar
19 Association’s report *Losing Home: The Human Cost of Eviction in Seattle* (“Losing
20 Home Report”) found that the most disadvantaged groups face the highest likelihood of
21 eviction; and

22 WHEREAS, the Losing Home report found that most evicted respondents became homeless,
23 with 37.5 percent completely unsheltered, 25.0 percent living in a shelter or transitional

1 housing, and 25.0 percent staying with family or friends. Only 12.5 percent of evicted
2 respondents found another apartment or home to move into; and

3 WHEREAS, a 2018 investigation by the King County Medical Examiner’s Office found that
4 over half of 107 presumed homeless deaths investigated occurred outside and attributed
5 approximately 121, or 62 percent, of presumed homeless deaths investigated to non-
6 natural causes (drug overdose, accidents (including hypothermia), suicide, homicide, and
7 undetermined), making it clear that people experiencing homelessness have a much
8 higher risk than the general population of developing exposure-related conditions; and

9 WHEREAS, persons with underlying health conditions are at greater risk of fatality if they catch
10 COVID-19, and preventing individuals from becoming higher-risk patients will protect
11 the public health, safety, and welfare of the region; and

12 WHEREAS, *The Negative Effects of Instability on Child Development*, published in 2013 by the
13 Urban Institute, found that “[c]hildren experiencing residential instability demonstrate
14 worse academic and social outcomes than their residentially-stable peers, such as lower
15 vocabulary skills, problem behaviors, grade retention, increased high school drop-out
16 rates, and lower adult educational attainment”; and

17 WHEREAS, continuing to maintain a moratorium on evictions, unless due to actions by the
18 tenant constituting an imminent threat to the health and safety of certain persons, is
19 necessary to protect public health and support stable housing, decrease the likelihood that
20 individuals and families will fall into homelessness, enable tenants in the City whose
21 income and ability to work is affected due to COVID-19 to remain in their homes; and
22 decrease the likelihood that individuals and families ~~continue to will~~ increase the risk of

1 exposure for themselves or others due to an eviction ~~while the COVID-19 emergency~~
2 ~~exists~~; and

3 WHEREAS, Seattle Municipal Code subsection 10.02.020.B provides that the Seattle City
4 Council can either ratify and confirm, modify, or reject civil emergency orders; NOW,
5 THEREFORE,

6 **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEATTLE THAT:**

7 Section 1. The Civil Emergency Order relating to residential evictions, issued by Mayor
8 Jenny A. Durkan on March 14, 2020 (Exhibit A to this resolution) as modified by the Council on
9 March 16, 2020 (Exhibit B to this resolution) by Resolution 31938, is modified as shown in
10 Exhibit C to this resolution.

CIVIL EMERGENCY ORDER

CITY OF SEATTLE

MORATORIUM ON RESIDENTIAL EVICTIONS

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6 **WHEREAS**, in my capacity as Mayor, I proclaimed a civil emergency exists in the City of Seattle
7 in the Mayoral Proclamation of Civil Emergency dated March 3, 2020; and
8

9 **WHEREAS**, the facts stated in that proclamation continue to exist, as well as the following
10 additional facts:
11

12 **WHEREAS**, the World Health Organization (WHO) has declared that COVID-19 disease is a
13 global pandemic, which is particularly severe in high risk populations such as people with
14 underlying medical conditions and the elderly, and the WHO has raised the health emergency to
15 the highest level requiring dramatic interventions to disrupt the spread of this disease; and
16

17 **WHEREAS**, as of March 13, 2020, Public Health – Seattle & King County announced 58 new
18 cases of COVID-19 in King County residents, for a total of 328 cases, including 32 deaths; and
19

20 **WHEREAS**, on March 13, 2020, the Governor of Washington state issued an emergency order
21 announcing all K-12 schools in Washington to be closed from March 17, 2020
22 through April 24, 2020 to combat the spread of the disease; and
23

24 **WHEREAS**, on March 13, 2020, the President of the United States declared a national emergency
25 to allow the government to marshal additional resources to combat the virus; and
26

27 **WHEREAS**, on March 11, 2020, the Governor of Washington state and the Local Health Officer
28 for Public Health – Seattle & King County issued parallel orders prohibiting gatherings of 250
29 people or more for social, spiritual and recreational activities in King County; and
30

1 **WHEREAS**, the COVID-19 crisis has had a significant impact on the local economy impacting
2 the retail, restaurant and other industries resulting in layoffs and reduced work hours for a
3 significant percentage of this workforce and loss of income for small businesses; and

4
5 **WHEREAS**, layoffs and substantially reduced work hours will lead to widespread economic
6 hardship that will disproportionately impact low- and moderate- income workers resulting in lost
7 wages and the inability to pay for basic household expenses, including rent; and

8
9 **WHEREAS**, in the last two weeks there has been a significant 50% drop in the number of tenants
10 appearing in court for their eviction hearings in King County resulting in default judgments being
11 entered and tenants losing substantial rights to assert defenses or access legal and economic
12 assistance; and

13
14 **WHEREAS**, evictions result in a loss of housing and create housing instability, potentially
15 increasing the number of people experiencing homelessness and creating a heightened risk of
16 disease transmission; and

17
18 **WHEREAS**, the City invests in eviction prevention programs, but resources are not sufficient to
19 address housing stability needs of dislocated workers during this unprecedented public health
20 epidemic; and

21
22 **WHEREAS**, jurisdictions across the nation are considering or have implemented eviction
23 prevention to provide housing stability to dislocated workers during this unprecedented public
24 health emergency; and

25
26 **WHEREAS**, Art. XI, Sec. 11 of the Washington State Constitution grants cities like The City of
27 Seattle broad police powers to “make and enforce within its limits all such local police, sanitary
28 and other regulations as are not in conflict with general laws”; and

29
30 **WHEREAS**, the Washington State Legislature has declared a state policy to help residents who
31 are experiencing a temporary crisis in retaining stable housing to avoid eviction from their homes,
32 as expressed in Laws of 2019 c 356 section 1; and

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WHEREAS, a temporary moratorium on residential evictions during the COVID-19 outbreak will protect the public health, safety, and welfare by reducing the number of individuals and families entering into homelessness during this epidemic, which means lowering the number of people who may develop the disease or spread the disease; and

WHEREAS, the civil emergency necessitates the utilization of emergency powers granted to the Mayor pursuant to: the Charter of the City of Seattle, Article V, Section 2; Seattle Municipal Code (SMC) Chapter 10.02; and chapter 38.52 RCW; and

WHEREAS, SMC 10.02.020.A.15 authorizes the Mayor to proclaim “such other orders as are imminently necessary for the protection of life and property” and take extraordinary measures to protect the public peace, safety and welfare; and

WHEREAS, the COVID-19 civil emergency requires the issuance of an order that is specifically aimed at a moratorium on residential evictions during the civil emergency in order to keep people housed and protect the public safety, health and welfare as set forth in this Civil Emergency Order; therefore,

WHEREAS, the conditions of this Civil Emergency Order are designed to provide the least necessary restriction on the rights of the public per SMC 10.02.025.C and

WHEREAS, pursuant to SMC 10.02.025.B, I believe it is in the best interest of the public safety, rescue and recovery efforts, and the protection of property that the exercise of certain rights be temporarily limited as set forth in this Civil Emergency Order; therefore,

BE IT PROCLAIMED BY THE MAYOR OF THE CITY OF SEATTLE, THAT:

I, **JENNY A. DURKAN**, MAYOR OF THE CITY OF SEATTLE, ACTING UNDER THE AUTHORITY OF SEATTLE MUNICIPAL CODE SECTIONS 10.02.020.A.15, AND MY MAYORAL PROCLAMATION OF CIVIL EMERGENCY, DATED MARCH 3, 2020, HEREBY ORDER:

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SECTION 1:

A. Effective immediately, a moratorium on residential evictions is hereby ordered until **April 30, 2022** the earlier of **the termination of the civil emergency declared in the Proclamation of Civil Emergency dated March 3, 2020** or 60 days from the effective date of this Emergency Order. ~~The decision to extend the moratorium shall be evaluated and determined by the Mayor based on public health necessity;~~

B. A residential landlord shall not initiate an unlawful detainer action, issue a notice of termination, or otherwise act on any termination notice, including any action or notice related to a rental agreement that has expired or will expire during the effective date of this Emergency Order, unless the unlawful detainer action or action on a termination notice is due to actions by the tenant constituting an imminent threat to the health or safety of neighbors, the landlord, or the tenant’s or landlord’s household members. Further, no late fees or other charges due to late payment of rent shall accrue during the moratorium; and

C. It shall be a defense to any eviction action that the eviction of the tenant will occur during the moratorium, unless the eviction action is due to actions by the tenant constituting an imminent threat to the health or safety of neighbors, the landlord, or the tenant’s or landlord’s household members. For any pending eviction action, regardless if the tenant has appeared, a court may grant a continuance for a future court date in order for the matter to heard at a time after the moratorium is terminated; and

D. Effective immediately, the Sheriff of King County is requested to cease execution of eviction orders during the moratorium.

SECTION 2:

All mayoral proclamations and orders presently in effect shall remain in full force and effect except that, insofar as any provision of any such prior proclamation is inconsistent with any provision of this proclamation, then the provision of this proclamation shall control.

SECTION 3:

1 A copy of this Civil Emergency Order shall be delivered to the Governor of the State of
2 Washington and to the County Executive of King County. To the extent practicable, a copy of this
3 Civil Emergency Order shall be made available to all news media within the City and to the general
4 public. In order to give the widest dissemination of this Civil Emergency Order to the public, as
5 many other available means as may be practical shall be used, including but not limited to posting
6 on public facilities and public address systems. SMC 10.02.100.

7
8 **SECTION 4:**
9

10 This Civil Emergency Order shall immediately, or as soon as practical, be filed with the
11 City Clerk for presentation to the City Council for ratification and confirmation, modification or
12 rejection, and if rejected this Civil Emergency Order shall be void; however, any such rejection or
13 modification shall not affect any actions previously taken. The Council may, by resolution, ratify,
14 modify or reject the order. If the City Council modifies or rejects this Civil Emergency Order, said
15 modification or rejection shall be prospective only, and shall not affect any actions taken prior to
16 the modification or rejection of this Civil Emergency Order, including the City’s responsibility for
17 the actual costs incurred by those who were ordered by or entered into contracts with the City, as
18 set forth in Seattle Municipal Code subsection 10.02.020.B. The Council shall endeavor to act on
19 any order within 48 hours of its being presented to the Council by the Mayor.

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23 DATED this _____ day of _____, 2020, at _____ am/pm.
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27 _____
28 JENNY A. DURKAN
29 MAYOR OF THE CITY OF SEATTLE
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31